

REMARKS

I. Rejection Under 35 USC § 112

Claim 16 was rejected under 35 USC 112, first paragraph, as being without support in the specification. Claim 16 has been cancelled.

II. Rejections Under 35 USC § 102

Claim 1 is rejected as being anticipated by Yamaguchi (US 6,869,723). Specifically, Fig. 5 of Yamaguchi is relied upon:

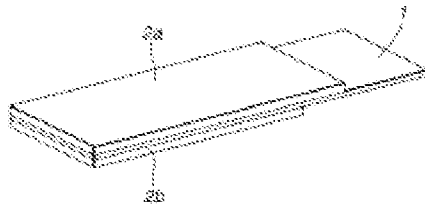


FIG. 5

As shown, the electrode has the current collector 1 sandwiched between electrode material layers 2a and 2b. The office action advances a position that the two segments form a first segment of one thickness (2a) and form a second segment of greater thickness (2a and 2b combined). Claim 1 has been amended to specify a structural relationship between the electrode material segments and the current collector which distinguishes the structure of Yamaguchi and excludes such a “sandwich” type structure.

Accordingly, the anticipation rejection is obviated.

III. Rejections Under 35 USC § 103

Claims 1-5, 10-14, and 17-19 are rejected under 35 USC § 103(a) as being unpatentable over Yamaguchi in view of Urry (US 4,333,994). Claims 6-9 are rejected on the basis of the combination of Yamaguchi and Urry as applied against claim 1, and further in view of Howard et al. (US 6,051,038). Claim 15 is rejected on the basis of the combination of Yamaguchi and Urry as applied against claim 1, and further in view of Mauro et al. (US 2002/0061449).

The rejection applies Yamaguchi in a manner different from its application in the anticipation rejection. In this rejection, the first segment is considered to be sheet 2a and the second segment is considered to be sheet 2b. Thus, Yamaguchi does not have segments of differing thickness. The embodiment shown in Fig. 2 of Urry is relied upon as disclosing an electrode material (28) forming an outer winding having a thickness less the electrode material (26) forming the inner winding. However, Urry merely discloses a similar “sandwich” type anode assembly (24) structure to that shown in Yamaguchi.

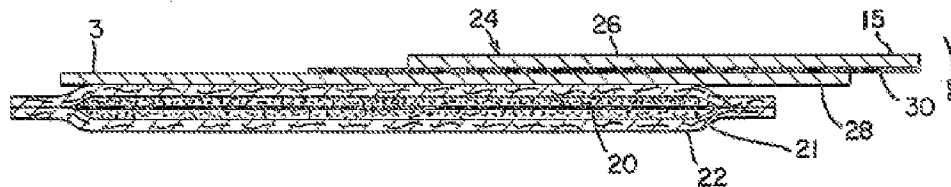


FIG. 2

Sandwiched between anode strip 26 and anode strip 28 is anode collector 30. Moreover, contrary to the assertion in the office action, the segments (strips 26 and 28) of anode material are not of different thickness; they are of the same thickness. The discussion in Urry of varying thickness concerns the non-uniform thickness of the composite of strips 26/28 and collector 30 in contrast to the uniform thickness of a conventional structure shown in Fig. 1. See col. 4, lines 61-67: “thickness of outer electrode is constant through out its length”. In the

embodiment of Fig. 2, end portions 3 and 15 of the strip assembly is composed of a single layer of anodic material so the outer and inner coils will consist of a single layer. The thickness refers to the thickness of the entire anode assembly and not to the thickness of the individual strips 26 and 28.

Accordingly, the obviousness rejection of claim 1, as well as the dependent claims, on the basis of Yamaguchi and Urry is without support.

IV. Conclusion

There being no further outstanding objections or rejections, it is submitted the claims distinguish over the prior art and that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this Amendment, the Examiner is requested to telephone the undersigned attorney to attend to those matters.

Respectfully submitted,

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Date

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